

**Sec. 23-209. Exemptions and credits applicable to stormwater service charges.**

(a) Except as provided in this section, no public or private property shall be exempt from stormwater utility service charges or receive a credit or offset against such service charges. No exemption, credit, offset, or other reduction in stormwater service charges shall be granted based on the age, tax, or economic status, race, or religion of the customer, or other condition unrelated to the stormwater management utility's cost of providing stormwater management services and stormwater management systems and facilities. A stormwater management utility service charge credit manual shall be prepared by the city engineer specifying the design and performance standards of on-site stormwater services, systems, facilities, and activities that qualify for application of a service charge credit, and how such credits shall be calculated.

(b) Credits. The following types of credits against stormwater service charges shall be available:

(1) *On-site detention and retention facilities.* Developed land other than detached single-family dwelling units with on-site detention or retention facilities may receive a credit against the stormwater service charge applicable to the property based on attaining and continuing compliance with the technical requirements and performance standards contained in the Stormwater Management Utility Service Charge Credit Manual. The stormwater utility service charge credit for on-site stormwater control systems or facilities that reduce or mitigate the impact of impervious surfaces on the subject property shall be proportional to the extent that the on-site stormwater control systems or facilities provided, operated, and maintained by the property owner reduce or mitigate the stormwater management utility's cost of providing stormwater management services and stormwater management systems and facilities. The stormwater utility service charge credit for services and activities that reduce or mitigate the stormwater management utility's cost of providing stormwater management services and stormwater management systems and facilities shall be proportional to the reduced costs realized by the stormwater management utility, but shall not be related to the cost of such services and activities to the person or entity providing same.

(2) *Public information and education.* Developed land other than detached single-family dwelling units that provide activities which reduce the city's cost of public information and education about stormwater management may receive a credit against the stormwater service charge applicable to the property based on attaining and continuing compliance with the requirements and performance standards contained in the Stormwater Management Utility Service Charge Credit Manual. Credits for educational programs and other activities related to stormwater management provided by public and private schools shall be based on the city-avoided costs as determined by the city engineer and not on the cost of the educational programs or other activities.

(c) Exemptions. The following exemptions from the stormwater service charges shall be allowed:

(1) Improved public road rights-of-way which have been conveyed to and accepted for maintenance by the State of South Carolina and are available for use in common for vehicular transportation by the general public.

(2) Improved public road rights-of-way which have been conveyed to and accepted for maintenance by the City of Columbia and are available for use in common for vehicular transportation by the general public.

(3) Railroad tracks; however, railroad stations, maintenance buildings, or other developed land used for railroad purposes shall not be exempt from stormwater service charges.

(4) All of that property in the City of Columbia that is a part of the Fort Jackson Army

federal military facilities.

(d) *Timing of applications.* The following timelines shall be used in determining the effective date of a credit against stormwater service charges:

(1) For new detention/retention facilities as well as educational programs, the credit shall become effective with the first billing period following successful completion of the application process and approval by the city engineer (or his or her designee).

(2) For detention/retention facilities as well as educational programs existing on the effective date of this ordinance, the credit shall become effective retroactively to the date of initial billing if an application is received by the city on or before July 1, 2003. The granting of such a credit shall be dependent upon successful completion of the application process and approval by the city engineer (or his or her designee). For existing detention/retention facilities as well as educational programs for which the application is received by the city after July 1, 2003, the credit shall become effective with the first billing period following successful completion of the application process and approval by the city engineer (or his or her designee).

(Ord. No. 2002-029, 6-19-02; Ord. No. 2003-038, 5-14-03)